

MAINE DEPARTMENT OF CORRECTIONS
INFORMATION FOR RESIDENTS – SEXUAL MISCONDUCT

Prison Rape Elimination Act PREA Reporting (PREA Hotline) Number is 1-855-279-4763

Maine Coalition Against Sexual Assault Crisis and Support Number is 1-800-871-7741

To: All Adult and Juvenile Residents
From: PREA Coordinator
Re: Resident Safety from Sexual Misconduct

The Prison Rape Elimination Act (PREA) is a federal law that addresses the problem of sexual assault of persons in the custody of correctional agencies. It is the policy of the Maine Department of Corrections (MDOC) to fully comply with the provisions of PREA and seek to prevent sexual assault in our facilities. MDOC also prohibits sexual misconduct not covered by PREA and sexual harassment, e.g., repeated comments of a sexual nature directed to a resident. See other examples in Department Policy 6.11, Sexual Misconduct (PREA & Maine Statutes), General, which also provides definitions and Maine Criminal Statute references.

The MDOC has a zero tolerance policy for sexual misconduct.

Any sexual misconduct from any source **will not** be tolerated at any MDOC facility.

All sexual conduct, including consensual sexual conduct, is against MDOC's rules and considered to be sexual misconduct.

1. Sexual Misconduct

Any sexual conduct between staff and a resident, a student intern and a resident, or a volunteer and a resident is **NOT ALLOWED and is ILLEGAL.**

A resident can **NEVER** legally consent to any type of sexual conduct with any person who works or volunteers at the facility.

NOTE: It is not sexual misconduct when security staff is doing a physical search or medical staff is doing a medical examination according to MDOC policies.

Any sexual conduct between residents is **NOT ALLOWED.**

Whether you are in custody or not, **NO ONE** has the right to pressure you to engage in sexual acts at any time for any reason.

2. What do you do if you are a victim of sexual misconduct?

a. Report it immediately to staff.

Staff will take steps to protect you from further sexual misconduct. You do not need to name the person who is harming you to get help. However, we request you to name the person if possible. The person can only be disciplined and/or prosecuted if we know who they are.

b. Seek medical attention if you have been sexually assaulted.

- 1) It is **VERY** important that you do not smoke, drink, eat, brush your teeth, bathe, shower, or use the bathroom after a sexual assault. Doing any of these may remove evidence that could be helpful in an investigation. However, you may still receive medical care and have an exam to collect any evidence that is still available even if you do one or more of these things.
- 2) Please do not change your clothes before reporting a sexual assault.
- 3) You may be checked at a hospital for the presence of physical evidence. If so, a medical

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professional will perform a FREE medical examination to find physical evidence from the assault. This evidence may help in identifying the person who hurt you if there is a criminal prosecution.

4) This free exam will be conducted privately and professionally at the hospital.

You should seek medical help if you have been sexually assaulted or had sexual relations with others to determine if you have been exposed to any sexually transmitted diseases. If appropriate, you may be tested for pregnancy.

A sexual assault advocate will be made available to support you during a medical exam or test.

c. Seek confidential counseling or emotional support services.

If you have been the victim of sexual misconduct, you will be referred to a facility licensed clinician for counseling and/or advice. Often, people may require help to recover from the emotional effects of sexual assault. **Free** crisis counseling, coping skills, suicide prevention, and mental health counseling are all available to you.

You also have the right to request an advocate from a community sexual assault support center to talk with you. To do so, call the **Statewide Sexual Assault Helpline at 1-800-871-7741**. This call and any discussion with an advocate will be confidential. (See map below.)

You may also call the **National Sexual Assault Hotline at 1-800-656-4673**. This call will also be confidential.

A facility licensed clinician will also be made available to help you at any time for any sexual assault you may have suffered at any time in your life, even before incarceration. Emotional support for this is also available from an advocate from a community sexual assault support center.

Calls to the below numbers are NOT listened to or recorded by MDOC staff. However, the recipient of any call is required to report abuse or neglect of a child or an incapacitated or dependent adult to the Maine Department of Health & Human Services.

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mecasa
MAINE COALITION AGAINST
SEXUAL ASSAULT

info@mecasa.org | mecasa.org
207-626-0034



STATEWIDE
SEXUAL ASSAULT HELPLINE

Text/Call: 1-800-871-7741

Chat: mecasa.org

Text & chat help: Monday-Friday, 8am-5pm

Phone help: 24/7

Free. Private.

MAINE'S SEXUAL ASSAULT SUPPORT CENTERS

AMHC Sexual Assault Services (AMHC)
Serving Aroostook, Hancock, & Washington Counties •
PO Box 1018, Caribou, ME 04736
amhcsexualassaultservices.org

Immigrant Resource Center of Maine
Serving Androscoggin & Cumberland Counties •
ircofmaine.org PO Box 990, Brunswick ME 04011

Rape Response Services (RRS)
Serving Penobscot & Piscataquis Counties • rronline.org
262 Harlow St, Bangor ME 04401

Sexual Assault Prevention & Response Services (SAPARS) Serving Androscoggin, Oxford & Franklin Counties, and the towns of Bridgton & Harrison • sapars.org
PO Box 6, Auburn, ME 04240

Sexual Assault Crisis & Support Center (SAC&SC)
Serving Kennebec & Somerset Counties • silentnmore.org
PO Box 417, Winthrop, ME 04364

Sexual Assault Response Services of Southern Maine (SARSSM) Serving Cumberland & York Counties • sarsonline.org, PO Box 1371 Portland, ME 14104

Sexual Assault Support Services of Midcoast Maine (SASSMM) Serving Eastern Cumberland, Sagadahoc, Knox, Waldo & Lincoln Counties • sassmm.org
PO Box 990, Brunswick, ME 04011

MORE SEXUAL VIOLENCE SERVICES

Wabanaki Women's Coalition • wabanakiwomenscoalition.org
207-763-3478

Aroostook Band of Micmacs, Domestic & Sexual Violence
Advocacy Center • 207-551-3639

Houlton Band of Maliseets, Domestic & Sexual Violence
Advocacy Center • 207-532-6401

Indian Township Passamaquoddy, Domestic & Sexual
Violence Advocacy Center • 207-214-1917

Passamaquoddy Peaceful Relations • 1-877-853-2613

Penobscot Indian Nation, Domestic & Sexual Violence
Advocacy Center • 207-631-4886

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3. What to Report:

The Maine Department of Corrections (MDOC) provides the means for residents to make reports of the following:

- a. sexual misconduct or sexual harassment;
- b. attempts to deter them from reporting sexual misconduct or sexual harassment;
- c. retaliation for reporting sexual misconduct or sexual harassment; and
- d. staff, student intern, or volunteer neglect or violation of responsibilities that may have contributed to such incidents.

4. How to Report:

- Call the confidential MDOC PREA Hotline at 1-855-279-4763.**
- Write or verbally report to the facility PREA Manager and/or facility PREA Monitor.**
- Write to the MDOC PREA Coordinator at 25 Tyson Drive, 111 State House Station, Augusta, Maine 04333-0111.**
- Write or verbally report to any security staff, medical or mental health staff, or other person working or volunteering at the facility.**
- Submit a grievance (see below).**
- Submit a sick call slip.**
- Submit a staff request form.**
- Tell a family member, friend, lawyer, or anyone else outside the facility to report on your behalf by calling the MDOC PREA Hotline at 1-855-279-4763.**

5. Anonymous Reporting

If you wish to report sexual misconduct or sexual harassment anonymously, you will be able to call the MDOC PREA Hotline without having to enter your resident phone PIN (personal identification number). This feature applies **ONLY** to the PREA Hotline for calls to the MDOC PREA Coordinator. This is set up to allow the MDOC PREA hotline number as a “speed dial.”

The anonymous speed dial feature will work when, after choosing the language option (1 for English or 2 for Spanish), you press * and then enter the first 5 numbers of the hotline (*85527), which will automatically initiate the call as an anonymous call.

All MDOC residents may make a report of sexual misconduct or sexual harassment, including an anonymous report (in other words, the report may be mailed without the name and MDOC number of the sender being included on the envelope or in the letter itself) to:

PREA Coordinator
Maine Department of Corrections
111 State House Station, Augusta, ME 04333-0111

Residents of LCYDC, MCC, or SMWRC may also make an anonymous report to:

PREA Coordinator
Cumberland County Jail
50 County Way
Portland, ME 04102

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Residents of MSP or BCF may also make an anonymous report to:

PREA Coordinator
Knox County Jail
327 Park St.
Rockland, ME 04841

Residents of MVCF or DCF may also make an anonymous report to:

PREA Coordinator
Penobscot County Jail
85 Hammond St.
Bangor, ME 04401

6. What happens if you report an incident of sexual misconduct?

Any report of sexual misconduct will be reviewed by a Maine Department of Corrections (MDOC) law enforcement officer who has received specialized training in handling sexual misconduct allegations. A report made in good faith will **NOT** be considered lying. No punishments of any kind will be taken against a resident for good faith reporting of sexual misconduct. However, if it is found that a resident knowingly filed a false report, they may be criminally charged with falsely reporting an incident and/or may be subject to disciplinary action.

Confidentiality

Information concerning the identity of the person reporting sexual misconduct, and the facts of the report itself, will only be shared with staff who need to know the information to make decisions concerning your health and safety. If a case is forwarded for criminal prosecution, certain information may be shared with the prosecutor and in court. However, if you choose to speak to an advocate from the local sexual assault support center, your discussions with that advocate will remain confidential.

PREA Grievances

A resident may file a grievance alleging sexual misconduct as provided in Department Policy 6.11.4, Sexual Misconduct (PREA and Maine Statutes), Administrative Sanctions and Grievances.

As set out in this policy, it is important to note that for a grievance alleging sexual misconduct:

- there is no requirement to attempt an informal resolution of a grievance alleging sexual misconduct;
- there is no time limit on the filing of a grievance alleging sexual misconduct;
- a grievance alleging sexual misconduct may be filed using a grievance form or other written format, such as a letter; and
- the grievance must be clearly marked as a grievance about sexual misconduct and must be addressed to the Grievance Review Officer.

This process is only for sexual misconduct. You must use the regular grievance process (see Department Policy (AF) 29.1, Adult Resident Grievance Process, General) for sexual harassment; an act that is a violation of the Maine Department of Corrections (MDOC) policy but does not constitute a PREA violation or a violation of Maine criminal law; and failure to report or otherwise take appropriate steps in response to sexual misconduct or sexual harassment; deterring reporting; and retaliation for reporting.